

HOUSE No. 4856

The Commonwealth of Massachusetts

PRESENTED BY:

Frank I. Smizik, Cynthia Stone Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to the Licensure of Landscape Architects.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Frank I. Smizik	15th Norfolk
Cynthia Stone Creem	First Middlesex and Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act Relative to the Licensure of Landscape Architects.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 99 of Chapter 112 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting, before the first sentence of the first paragraph: “No person shall practice or offer to practice landscape architecture in the commonwealth, unless such person shall have secured from the board a certificate of registration as a landscape architect.”

SECTION 2. Said section 99, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraphs:-

The following persons and activities are exempted from the provisions of this chapter: Any architect registered under the provisions of chapter 112; and any professional engineer registered under section 45 of chapter 13.

Nothing in this chapter shall prevent a vendor of goods, services or materials, including nurserymen, landscape nurserymen, gardeners, landscape gardeners, and general or landscape contractors, from providing drawings or graphic diagrams necessary for the proper layout of his goods or materials, or prevent a landscape designer from engaging in, for a fee, the design of spaces utilizing plant materials and incidental paving and building materials or arranging for installation of the same. Nothing in this chapter shall be construed in any manner to prohibit any person from making plans, drawings, or specifications for the personal use and enjoyment of any property owned by him. Notwithstanding the provisions of this section, any person exempted under this section or any persons engaged in activities exempted under this section shall not use the title "landscape architect" unless such persons comply with the provisions of this chapter.

21 SECTION 3. Section 101 of Chapter 112 of the General Laws, as appearing in the 2008 Official
22 Edition, is hereby amended by striking out, in lines 3-4, the words “he is at least twenty-three
23 years of age and of good moral character”.

24 SECTION 4. Section 101 of Chapter 112 of the General Laws, as so appearing, is hereby further
25 amended by striking out, in lines 5-6, the words “he is a citizen of the United States or has
26 legally declared his intention of so becoming”.